

AMENDED

Serial No. 61545

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. SEP 15 1995
 Returned to applicant for correction. OCT 13 1995
 Corrected application filed. FEB 05 1990 under 54408 Map filed.

The applicant. MIKE CLEMMONS and CATHY CLEMMONS
 7880 Ahey Road of Las Vegas
 Nevada, 89129
 hereby make application for permission to change the
 Point of Diversion, place and manner of use of a portion
 of water heretofore appropriated under Permit No. 56795
 Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
 identify right in Decree.

- The source of water is underground
 Name of stream, lake, underground spring or other source.
- The amount of water to be changed. .0044 CFS
 Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for. Quasi-municipal (1 home)
 Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for. commercial
 Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point. within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, T.20 S,
 Describe as being within a 40-acre subdivision of public survey and by course and
 R.60E. M.D.B.&M. or at a point from which the S 1/16 corner common to
 distance to a section corner. If on unsurveyed land, it should be stated.
 Section 4 and Section 5 bears N. 73° 49' 53" W. a distance of 748.89'
- The existing permitted point of diversion is located within. The NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, T.22S.
 If point of diversion is not changed, do not answer.
 R.61E. M.D.B.&M., or at a point from which the NW corner of said Section 24
 bears N. 41°08'33" W a distance of 908.0 feet
- Proposed place of use. NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, within Section 4, T.20S. R.60E. M.D.B.&M.
 Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
 Specifically, APN 138-04-402-004. Please use map under cancelled permit no.
 54408.
- Existing place of use. 5.0 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, T.22S. R.61E. M.D.B.&M.
 Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
 Please use map under permit no. 56795.
 manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from. January 1 to December 31 of each year.
 Month and Day Month and Day
- Use was permitted from. January 1 to December 31 of each year.
 Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
 specifications of your diversion or storage works.) Drilled well, storage tank and underground
 State manner in which water is to be diverted, i.e. diversion structure.
 distribution system.
 ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works. \$12,000.00
- Estimated time required to construct works. 8" well drilled to a depth of 500' in July of 1990
 by Mitchell Enterprises under permit no. 54408.

5 years

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application to change is being made to replace water rights that were lost on assessor parcel no. 138-04-402-004 when permit no. 54408 was cancelled, the water rights under this application are for one (1) home and are only appurtenant to APN 138-04-402-004. Please use map under permit no. 56795 for existing POD & POU and map under permit no. 54408 for proposed POD & POU.

s/Timothy J. McGarry
Timothy J. McGarry, Esq. (Agent)
By 302 E. Carson Ave., #1102
Las Vegas, Nevada 89101

Compared..... cl/nsr cl/cmg

Protested.....

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 56795 is issued subject to the terms and conditions imposed in said Permit 56795 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued to provide water service to one residence on a lot described by Assessor's Parcel Number 138-04-402-004.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0044 cubic feet per second, but not to exceed 0.325 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 8, 1996
Proof of completion of work shall be filed before July 8, 1996
Application of water to beneficial use shall be made on or before June 8, 1998
Proof of the application of water to beneficial use shall be filed on or before July 8, 1998
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed AUG 05 1996
Proof of beneficial use filed JUL 12 2000
Cultural map filed
Certificate No. 15658 Issued JAN 17 2001

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 24th day of May
A.D. 1996
State Engineer